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BARBIE TO BE TRIED ON EIGHT CHARGES

The Case Will Involve Crimes
Against Humanity—Killing
of Moulin is Not Cited

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Special to The New York Times

PARIS, Feb. 24 — Klaus Barbie, the Nazi fugitive, was told by French authorities today that he would be charged with eight specific counts involving "crimes against humanity." But French officials said Mr. Barbie would not be tried for the killing of Jean Moulin, the French Resistance leader, or for the murders of other Resistance fighters.

Christian Riis, the French magistrate in charge of the case, held his first formal meeting today with Mr. Barbie at the St. Joseph Prison in Lyons. Mr. Barbie, who was head of the Gestapo in Lyons between 1942 and 1944, will face charges involving the arrest, torture and killing of 155 people and the deportation of 791 others. Most of these were Jews, and most of those deported were later killed in Nazi camps.

The meeting between Mr. Riis and Mr. Barbie lasted for three hours. Alain de la Servette, the head of the Lyons Bar who has charged himself with responsibility for Mr. Barbie's defense, said after the meeting that Mr. Barbie, "after hearing each of these charges, contented himself with responding summarily, without entering into details."

Mr. Barbie, Mr. de la Servette said, "already knew the chief accusations" against him. The lawyer added that the meeting was a "normal" procedure under French law.

Statute of Limitations

Mr. Barbie will not be charged with the killing of Mr. Moulin or other Resistance members because French law applies a 20-year statute of limitations to war crimes. In 1952 and 1954 Mr. Barbie was convicted in absentia and condemned to death for war crimes, including Mr. Moulin's killing. Trying Mr. Barbie for these crimes would thus not only involve problems involving the statute of limitations, but would also raise questions about trying someone again for the same crimes.

However, under a French law passed in 1964 there is no statute of limitations for "crimes against humanity," which are defined according to the conventions established for the Nuremberg war crime trials in 1945 and involve acts committed against civilians.

He will be tried for deporting 650 people, mostly Jews, to the Auschwitz and Ravensbruck camps; the deportation of 86 people arrested at the Lyons General Union of Jews; the shooting of 70 Jews at Bron and a number of other Jews and two Roman Catholic priests in St.-Genis-Laval; the deportation of 55 Jews, mostly children, from the village of Izieux, and the shooting of 42 people, including 40 Jews, in and around Lyons between 1943 and 1944.

He will also be tried for the killing of 22 hostages in reprisal for an attack on German policemen in 1943; the arrest and torture of 19 people in Lyons in the summer of 1943, and the roundup of French railway workers in August 1944, which led to the deaths of at least two and the wounding of others.

Many Legal Problems

The charging of Mr. Barbie was the first major act by the French Government against Mr. Barbie since he arrived here on Feb. 6. Mr. Barbie was expelled by the Bolivian Government and sent to France at this country's request.

Mr. de la Servette said today that Mr. Barbie's case posed many legal problems and suggested the outlines of a defense. He said one of the legal questions concerned the extent to which the crimes Mr. Barbie is charged with "were crimes against humanity or crimes of war."

Another question, he said, concerned exactly what Mr. Barbie's role was in the crimes with which he is charged.

Mr. de la Servette became Mr. Barbie's lawyer in the absence of other counsel. He said today that if he continued to represent Mr. Barbie he would ask the help of other lawyers. He added he had "no information whatsoever" on reports that someone close to Mr. Barbie had enlisted a group of German lawyers to defend him.

Mr. de la Servette was quoted earlier today by Agence France-Presse as saying Mr. Barbie's daughter, a lawyer in Austria, had asked for permission to visit Mr. Barbie. But Mr. de la Servette denied this in a telephone interview tonight and said Mr. Barbie's daughter would not represent her father in the case.

The initial jubilation and surprise here over Mr. Barbie's return has largely passed, and much of the discussion in the last two weeks has concerned how France could give Mr. Barbie a fair trial, whether the proceedings should be televised and what effect any disclosures Mr. Barbie might make would have on France.